

Applicant: Guodong Zhang
Application No.: 10/725,789

REMARKS

Claims 1-8 are pending in this application.

Claim 1 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0106426 to Koo et al. (hereinafter "Koo") in view of U.S. Patent No. 6,781,969 to Nikides et al. (hereinafter "Nikides"). Claims 2 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Koo and Nikides in view of U.S. Patent No. 6,529,494 to Ostman et al. (hereinafter "Ostman"). Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Koo and Nikides in view of Ostman and further in view of U.S. Patent Application Publication No. 2004/0141473 to Buot. Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Koo and Nikides in view of Ostman and further in view of U.S. Patent No. 6,198,910 to Hanley. Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Koo and Nikides in view of Ostman and Hanley and further in view of U.S. Patent No. 6,175,745 to Bringby. Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Koo and Nikides in view of Ostman and further in view of U.S. Patent No. 6,542,581 to Suonsivu. Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Koo and Nikides in view of Ostman and Suonsivu and further in view of U.S. Patent No. 6,463,295 to Yun.

Koo relates to a method and apparatus for computing transmit power control signals and a bias error value. The error value is constantly updated along with the transmit power control value (paragraph 0018). Since the error value is constantly updated, it is not an adjustment by a "predetermined amount".

The Examiner acknowledges that Koo fails to disclose a method wherein determining whether an increase in the estimated power level would degrade services neighboring cells, as recited in claim 1 of the present invention, and proposes that Nikides discloses such a method. Applicant respectfully disagrees.

Nikides relates to a method for adjusting the transmit power of other users in a system when a high speed data (HSD) user is ready to transmit or receive data (column 5, lines 62-66). Nikides examines neighbor cells of where the HSD user is located to determine the maximum power level margin, which is used to raise the power level of the other (non-HSD) users in the system (column 7, line 38 to column 8, line 18). This power level margin is then used to determine the highest possible transmission rate for the HSD user (column 9, lines 5-67).

Since Nikides determines the maximum value for the HSD user's initial power level (as described at column 9, lines 5-67), there is no need in Nikides to determine whether increasing the initial power level would degrade services in neighboring cells. Therefore, the determining step as recited in claim 1 of the present invention is not performed in Nikides.

With regard to the Examiner's rejection of claim 2 based on Ostman, the Applicant disagrees for the following reasons. Claim 2 recites a method comprising "calculating an estimated slot carrier power; comparing the estimated slot carrier power with a threshold; and adjusting the initial downlink transmit power based upon the comparison result". Ostman does not teach, disclose, or suggest such a method.

Ostman is directed to a method of making transmit power adjustments that resemble a typical fading event (column 2, lines 23-24 and column 5, lines 20-29). Ostman makes no reference to slot carrier power. More specifically, Ostman makes no reference to calculating an estimated slot carrier power, comparing the estimated slot carrier power with a threshold, or adjusting the initial downlink transmit power based on the comparison result. As Ostman does not disclose these elements, the combination of Koo, Nikides, and Ostman does not teach or suggest claim 2.

Based on the foregoing remarks, the combinations of Koo and Nikides and Koo, Nikides, and Ostman do not lead one of ordinary skill in the art to the invention recited in independent claims 1 and 2. Therefore, the independent claims (i.e., claims 1 and 2) are distinguishable over the cited references. Because the independent claims are distinguishable over the cited references, the dependent claims (i.e., claims 3-8) are also distinguishable over the cited references without the need for additional comment.

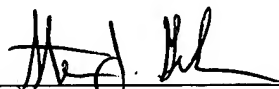
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It is respectfully submitted that the remarks made herein place pending claims 1-8 in condition for allowance. Accordingly, entry of this amendment as well as reconsideration and allowance of pending claims 1-8 are respectfully requested.

If the Examiner does not believe that the claims are in condition for allowance, the Examiner is respectfully requested to contact the undersigned at 215-568-6400.

Respectfully submitted,

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